
SENATE BILL 5892

State of Washington 60th Legislature 2007 Regular Session

By Senators Honeyford, McCaslin, Tom, Delvin and Stevens

Read first time 02/06/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the state building code; amending RCW 19.27.020
2 and 19.27.050; and adding a new section to chapter 19.27 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.27.020 and 1985 c 360 s 6 are each amended to read
5 as follows:

6 The purpose of this chapter is to promote the health, safety and
7 welfare of the occupants or users of buildings and structures and the
8 general public by the provision of building codes throughout the state
9 and by allowing a cause of action for damages based on the negligent
10 failure of a county or city to enforce the provisions of the state
11 building code. Accordingly, this chapter is designed to effectuate the
12 following purposes, objectives, and standards:

13 (1) To require minimum performance standards and requirements for
14 construction and construction materials, consistent with accepted
15 standards of engineering, fire and life safety.

16 (2) To require standards and requirements in terms of performance
17 and nationally accepted standards.

18 (3) To permit the use of modern technical methods, devices and
19 improvements.

1 (4) To eliminate restrictive, obsolete, conflicting, duplicating
2 and unnecessary regulations and requirements which could unnecessarily
3 increase construction costs or retard the use of new materials and
4 methods of installation or provide unwarranted preferential treatment
5 to types or classes of materials or products or methods of
6 construction.

7 (5) To provide for standards and specifications for making
8 buildings and facilities accessible to and usable by (~~physically~~
9 ~~disabled persons~~) individuals with disabilities.

10 (6) To consolidate within each authorized enforcement jurisdiction,
11 the administration and enforcement of building codes.

12 **Sec. 2.** RCW 19.27.050 and 1985 c 360 s 9 are each amended to read
13 as follows:

14 (1) The state building code required by this chapter shall be
15 enforced by the counties and cities. A county or city is liable for
16 damages caused by their negligent failure to enforce the provisions of
17 the state building code. The liability of a county or city is limited
18 to fifty percent of the actual damages proved.

19 (2) Any county or city not having a building department shall
20 contract with another county, city, or inspection agency approved by
21 the county or city for enforcement of the state building code within
22 its jurisdictional boundaries.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 19.27 RCW
24 to read as follows:

25 Notwithstanding the provisions of RCW 7.06.010 and 7.06.020, all
26 actions, regardless of the amount in claim, for damages resulting from
27 the negligent failure of a county or city to enforce the provisions of
28 the state building code are subject to mandatory arbitration.

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